



March 26th, 2012

GOOD NEWS ABOUT COLFAX SEWERS!

Water Quality Board Praises Colfax's Performance

In December, the California Water Quality Control Board praised Colfax for its efforts to comply with the law. The Board reports that Colfax has corrected nearly all violations and is cooperatively engaged in finding solutions. The Board is utilizing "performance" rather than "punitive" measures and approves of the City's "engineer, evidence-based approach." The Board also approves of the City's testing and reporting procedures.

Federal and State agencies award tiny Colfax \$6.6 million

Federal and state grants and loans have eased Colfax's financing burdens! The Board granted Colfax \$3.2 million and loaned \$1.6 million. The U.S. Environmental Protection Agency, EPA, granted \$600,000. The Federal Department of Agriculture - Rural Development granted \$1 million. Over \$6.6 million in total. These loans are low interest (1%) and allow deferred payments for 2.5 years.

There will be **NO NEW RATE INCREASES** resulting from these loans beyond the annual cost of living increase of 3.5%. Existing monthly sewer bills will completely payoff these new debts, absent new lawsuits and/or regulations. \$6.6 million in recent grants and loans will finance remaining projects for the treatment plant, storage pond, and sewer pipe system.

Thanks to a Little Help from Our Friends

The City received these generous grants and loans thanks to former Rep. John T. Doolittle, Assemblyman Dan Logue, and Rep. Tom McClintock. The City paid Doolittle \$30,000 and in return he lobbied and secured the \$1 million federal grant, a \$3.32 million principle forgiveness State Revolving Fund grant, and a \$1.6 million low-interest loan. **That was money well spent.** Assemblyman Dan Logue assisted with state agencies.

What the City has done

The City has built a new, \$7 million, state-of-the-art tertiary treatment plant—something even Sacramento does not have. The City has identified underground leaks in 10 miles of largely old clay sewage collection pipes and is repairing 17,657 feet, 32% of its entire collection system, for \$3 million. The City is draining a rainwater backup storage pond—something neither Sacramento nor Stockton have. Once empty, it will be sealed to prevent leakage into the surface and ground water. Treating excess rainwater is not required by regulation or law. The City is acting above and beyond its legal obligations to do things right.





The Water is Clean and the Complaints are False

Wild claims that Colfax is discharging "partially treated sewage" are just plain false. The City has never discharged raw sewage down its tributary to Smuthers Ravine and the public's health has never been in danger.

The City has not had a major spill in over three years. In December, the California Water Quality Control Board gave Colfax, in effect, a clean bill of health as it had a year and a half ago. The violations occurring in November of 2009 were corrected.

Quite simply, "The majority of ...allegations are false."
[Vasquez, Board staff – Dec. 2nd, 2011 Hearing]

Treatment Plant Discharge is Clean

Today, scientific tests (reading down to parts per *billion*) prove that Colfax's waste water is clean. In recent tests the treatment plant's discharged water was far cleaner than the surrounding natural water, which flows through the mineral and wildlife rich foothills.

The discharges of treated water from the plant, as measured by the Board, are within required limits for settled and dissolvable solids, oxygen, turbidity, chlorine residue, iron, magnesium, mercury, chlorine, and hardness. Blended with treated rainwater, aluminum is within limits. pH levels are not toxic. Waste water has not contaminated either groundwater or wells, and pesticides are undetectable. In many instances, the output of the treatment plant is cleaner than drinking water.

Rainwater Cleaned

Beyond legal requirements, Colfax has gone the extra mile of recycling and treating rainwater seepage from its backup rainwater storage pond. Seepage is UV disinfected before discharge. The treated seepage water, mostly rainwater, "meets all effluent limits" of BOD, TSS, NH₃, NO₃, coliform and copper.

Copper Excess

The results of an \$80,000 study show that excess copper levels in the discharged water are the same as many other foothill communities. This is due to the mineral-rich soil on which our town sits. Colfax has already complied with the Board's interim, lower limit on copper levels, and in time the Board will routinely determine that Colfax will not be required to treat its waste water for excess copper and this "violation" will go away.

Coliform and Odors a Mile Away Are Not the City's Fault

The Board dismissed the vast majority of 284 allegations as unfounded. The claim that "discharge from treatment plant causes nuisance conditions [is] not substantiated," said the Board.





Coliform - The Board said, "High coliform in Smuthers Ravine [a mile away] is not due to [the City's] wastewater discharge. Colfax is not responsible for other sources of coliform. "The (clean) discharge did not cause the alleged foaming or odors." The levels of coliform in the treatment plant's discharge are much less than coliform levels found above and below the plant. Other sources of coliform come from six tributaries to Smuthers Ravine inhabited by hikers, bear, deer, rabbits, raccoons, skunks, possums, etc. Trout thrive downstream and overall the discharge from the treatment plant is cleaner than rainwater which leaches through the rich natural resources of the Sierra foothills.

Odors - Odors a mile away from the treatment plant are not attributed to the plants discharge. Aeration of the treatment pond keeps odors at undetectable levels.

Water Board Encourages Further Improvements

The Board waived 92% of mandatory minimum penalties, \$153,000 of \$165,000, to allow the fine money to be used to solve problems rather than to punish the citizens of Colfax with higher sewer rates. This was forgiveness of 3 ½ years of mostly minor technical and paperwork violations. The remaining fine is \$12,000. Similarly, a year before, Magistrate Brennan also waived fines and penalties for 4,283 alleged violations.

The Board found that only four of 284 alleged violations were valid. "Most allegations [are] not violations." Despite wild claims in the press, the Board found "no pattern of avoiding monitoring or reporting" and "no recent violations."

Fixing the Clean Water Act

The City believes most violations under the Clean Water Act are minor, clerical, and technical, mostly paperwork oriented, and even trivial and frivolous. Rep. McClintock is carrying legislation to give long-term relief from the most onerous aspects of the CWA that do nothing to clean water. CWA problems include lawsuit abuse, ever changing standards, and the community's ability to pay. Across the nation, billions of dollars are being squandered on lawsuits and regulatory excesses that do not increase public safety.

Challenges Ahead

Water flows during the rainy season can be 12 times higher than the dry season. The treatment plant cannot keep up with the inflow. This excess rainwater is stored in Pond #3 but the pond lacks capacity for 100-year storms. The City of Colfax is racing to drain and line (seal) pond #3 before November 30, 2012, and has added evaporators to help speed the drainage. "The City has shown an overall decrease in the inflow...since it began rehabilitation work."

